

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

UNITED STATES OF AMERICA, <i>ex rel.</i>)	
GENE CARTER,)	
)	
Plaintiffs,)	
)	Civil Action No. 4:20-146
v.)	
)	
M1 SUPPORT SERVICES LLP,)	<u>EX PARTE AND UNDER SEAL</u>
)	
Defendant)	

**THE UNITED STATES' NOTICE OF NON-INTERVENTION AND
MOTION TO PARTIALLY UNSEAL**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States of America ("United States") by and through the undersigned counsel, provides the Court notice of its non-intervention in this *qui tam* action. While the United States is not electing to intervene at this time, it wishes to reserve its rights under the False Claims Act.

Although the United States is not intervening at this time, it respectfully refers the Court to 31 U.S.C. § 3730(b)(1), which allows the Relators to maintain this action in the name of the United States, provided that the action may only be dismissed by the Relators if the Court and the United States Attorney General give written consent to the dismissal. 31 U.S.C. § 3730(b)(1). Accordingly, if the Relators elect to voluntarily dismiss this action, the United States consents to such dismissal without prejudice to the rights and interests of the United States.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests

that all pleadings filed in this action be served upon the counsel of record for the United States. The United States further requests that orders issued by the Court for this action be sent to United States' counsel. The United States reserves its right to order any deposition transcripts, to intervene in this action for good cause at a later date, and to seek the dismissal of the Relators' action or claim(s) on any appropriate grounds. The United States also requests that it be served with all notices of appeal.

The United States also respectfully moves this Court to unseal Relators' Complaint, this notice of non-intervention and motion to partially unseal, the Order granting this motion to lift seal, and all subsequent filings in this case. The United States requests that all other papers, including any motions or memorandums relating to the United States' investigation, remain under seal as that information was provided *in camera* for the limited purpose of demonstrating to the Court that good cause existed to extend the seal and period during which the United States could notify the Court of its decision on intervention. A proposed Order accompanies this motion.

This 4th day of December, 2020.

Respectfully submitted,

BOBBY L. CHRISTINE
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of December 2020, a true and correct copy of the United States' Notice of Election to Decline Intervention was mailed by first-class mail to counsel for the Relator as follows:

Julie Bracker
Bracker & Marcus LLC
3225 Shallowford Road, Suite 1120
Marietta, Georgia 30062

/s/ Matthew A. Josephson
MATTHEW A. JOSEPHSON
Assistant United States Attorney